

COMMERCE AND NAVIGATION

Treaty signed at Washington February 25, 1913, amending treaty of February 26, 1871.

Senate advice and consent to ratification February 26, 1913

Ratified by the President of the United States March 1, 1913

Ratified by Italy June 21, 1913

Ratifications exchanged at Washington July 3, 1913

Entered into force July 3, 1913

Proclaimed by the President of the United States July 3, 1913

*Terminated December 15, 1937*¹

38 Stat. 1669; Treaty Series 580

TREATY BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY THE KING OF ITALY, AMENDING THE TREATY OF COMMERCE AND NAVIGATION CONCLUDED FEBRUARY 26, 1871, BETWEEN THE SAME HIGH CONTRACTING PARTIES

The United States of America and His Majesty the King of Italy, desiring to define more accurately the rights of their respective citizens in the territories of the other, have for that purpose determined to conclude a treaty amendatory of Article III of the Treaty of Commerce and Navigation of February 26, 1871,² between the two countries and have named as their respective Plenipotentiaries:

The President of the United States of America: Philander C. Knox, Secretary of State of the United States of America;

His Majesty the King of Italy: The Marquis Cusani Confalonieri, Commander of the Order of Saint Maurice and Saint Lazarus, Grand Cordon of the Order of the Crown of Italy, etc., etc., His Ambassador Extraordinary and Plenipotentiary at Washington:

And the said Plenipotentiaries having exhibited, each to the other, their full powers, found to be in good and due form, have concluded and signed the following articles:

¹ Pursuant to protocol of denunciation signed at Rome Dec. 15, 1936.

² TS 177, *ante*, p. 82.

ARTICLE I

It is agreed between the High Contracting Parties that the first paragraph of Article III of the Treaty of Commerce and Navigation of February 26, 1871, between the United States and Italy shall be replaced by the following provision:

The citizens of each of the High Contracting Parties shall receive in the States and Territories of the other the most constant security and protection for their persons and property and for their rights, including that form of protection granted by any State or national law which establishes a civil responsibility for injuries or for death caused by negligence or fault and gives to relatives or heirs of the injured party a right of action, which right shall not be restricted on account of the nationality of said relatives or heirs; and shall enjoy in this respect the same rights and privileges as are or shall be granted to nationals, provided that they submit themselves to the conditions imposed on the latter.

ARTICLE II

The present Treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by His Majesty the King of Italy, in accordance with the constitutional forms of that Kingdom, and shall go into operation upon the exchange of the ratifications thereof, which shall be effected at Washington as soon as practicable.

In faith whereof the Plenipotentiaries of the High Contracting Parties have signed the present Treaty in duplicate in the English and Italian languages, and have affixed thereto their respective seals.

Done at Washington this 25th day of February in the year of our Lord one thousand nine hundred and thirteen.

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| PHILANDER C. KNOX | [SEAL] |
| CUSANI | [SEAL] |